

Rec'd
For Dktg
5/9/12

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. AIRLINES PILOTS ASSOCIATION, by its president
Michael Cleary,

Plaintiff,

-against-

US AIRWAYS, INC., AND U.S. AIRWAYS GROUP,
INC.,

Defendants.

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X

11-CV-2579 (ARR) (SMG)

ORDER & JUDGMENT

FILED

IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ MAY 09 2012 ★

BROOKLYN OFFICE

ROSS, United States District Judge:

In an amended opinion and order dated March 15, 2012, the court dismissed Counts I, II, III, and V with prejudice. Count IV was dismissed without prejudice, and the court advised plaintiff's counsel to file a letter requesting leave to amend within thirty days should plaintiff wish to seek to cure that count, its sole remaining claim, through amendment.¹ More than thirty days have expired, and plaintiff has not requested leave to amend the complaint. Accordingly, Count IV is dismissed with prejudice, and the Clerk of the Court is directed to enter judgment.

SO ORDERED.

s/Allyne R. Ross

Allyne R. Ross
United States District Judge

Dated: May 3, 2012
Brooklyn, New York

¹ In the last sentence of the amended opinion and order, the court erroneously referred to Count IV as "Count I." However, it is clear in the context of both the paragraph itself and the opinion overall that the court was referring to Count IV. To the degree that the typographical error may have caused plaintiff any confusion, plaintiff could have sought clarification within the time period specified by the court for seeking leave to amend.